

EXCLUSIVE NATIONAL NSW CLADDING CRISIS

Cladding list kept secret amid demands for action on 'construction crisis'

By [Tom Rabe](#) and [Nick Bonyhady](#)

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A list of 444 buildings across NSW potentially clad in flammable material has been released to the NSW Parliament, but will not be shown to the public after the government deemed the privileged document a security risk.

The list was handed to the NSW Legislative Council on October 31 after all non-government parties voted for the government to turn it over, but the Department of Customer Service said releasing the list would increase the risk of arson and terrorism.



The CFMEU has demanded federal intervention in a wider “national construction crisis”. ERIN JONASSON

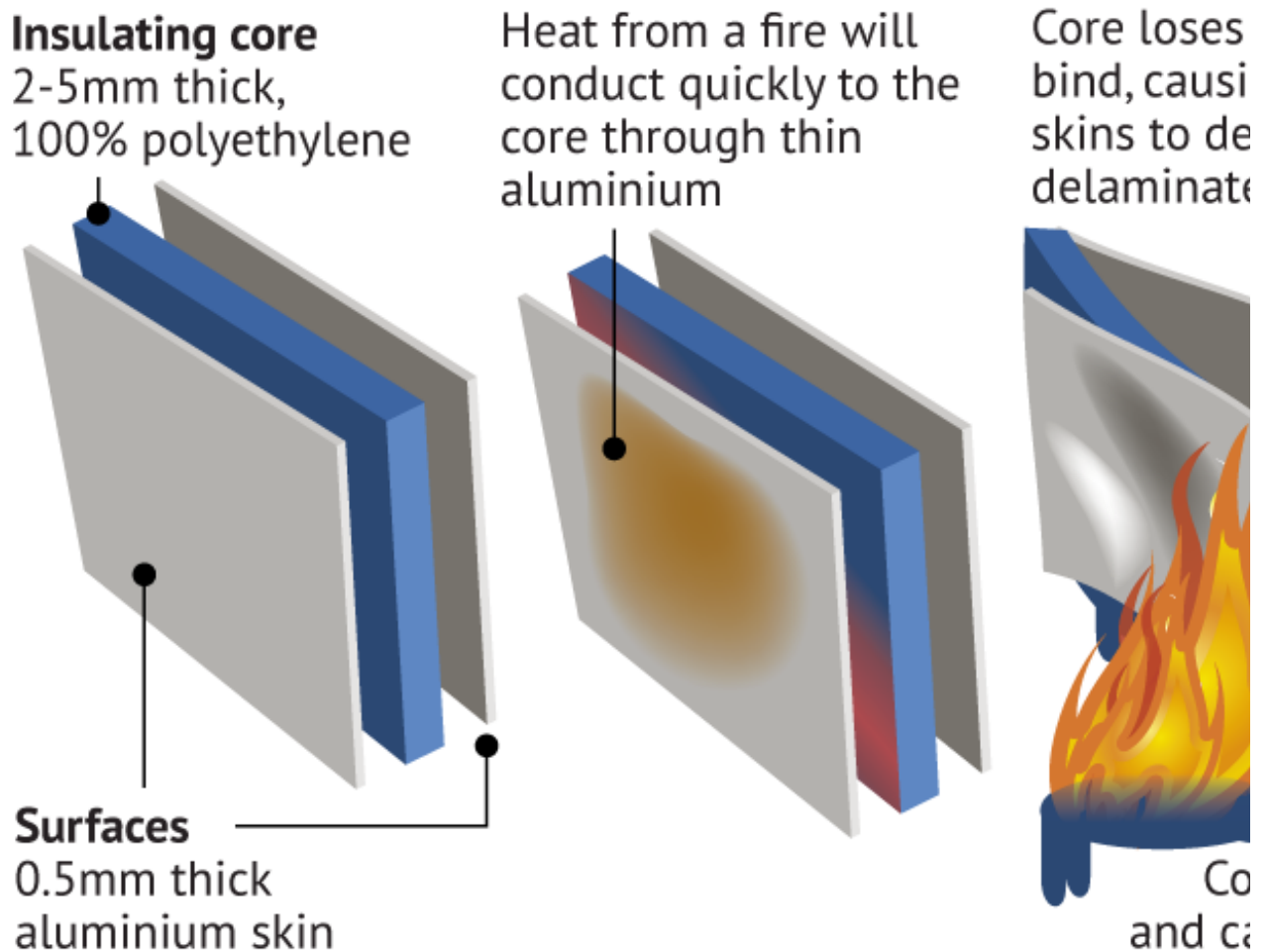
In its bid to keep the list secret the government lodged a privilege claim, which included the security risks as well as saying its public release could hurt property owners, potentially mislead the public and breach expectations of confidentiality.

It comes as a trade union demands federal intervention in a wider “national construction crisis,” which is estimated to have cost the country \$10 billion over the past decade because of a lack of adequate procurement and infrastructure proficiency within state governments.

The CFMEU report, based on research undertaken by Equity Economics, warned that those shortcomings could result in another \$5 billion of taxpayer cash lost in the next three years.

The report, set to be released on Tuesday, estimated the overall national cost of apartment defects, including flammable cladding, to be upwards of \$6 billion and called for a harmonisation of state laws. The report put the onus on Canberra to bring the states into line and use the billions of dollars in federal infrastructure funding as leverage to ensure better compliance.

Aluminium composite cladding panel Flammable core



Graphic: Jamie Brown

“Unfortunately, though, [the federal government] has applied this leverage to advance an ideological agenda,” the report said.

But Federal Industry Minister Karen Andrews said the federal government didn’t have the constitutional power to act. She said the states were already working

together to develop a consistent approach to implementing the recommendations of the Shergold-Weir Building Confidence report.

The Queensland MP also took a swipe at the union for calling on government to address cost-blowouts in the construction industry, saying its "lawlessness" had added an estimated 30 per cent to the cost of major projects.

The CFMEU report took aim at a decades-long strategy by the states to handball big infrastructure projects to the private sector to reduce risk, which it said had slowly diminished government's institutional knowledge and expertise.

It described the National Construction Code as an effective framework which was being applied inconsistently at a state level rendering it "defunct".

In the course of a year, a handful of Sydney apartment blocks have been evacuated due to construction defects, while the *Herald* has revealed [rushed and "bogus" approval processes](#) for others.

NSW Minister for Better Regulation Kevin Anderson said the state government was working on a pathway to reform to restore confidence in the state's construction industry.

He said the government had introduced legislation that would register thousands of building and design professionals to ensure they abided by national building codes.

Mr Anderson said a NSW Cladding Support Unit had been set up to work closely with councils to expedite the assessment of the 400-odd buildings deemed to be at high risk.

However, Greens MLC David Shoebridge, who has been pursuing the release of the register, said public pressure was necessary to encourage building owners and the government to quickly replace the cladding.

"Especially given how tardy the NSW government response has been, public pressure from tenants and occupiers is going to be essential to have a rapid response," he said. "There remain hundreds of buildings at significant risk almost two and a half years after the Grenfell Tower tragedy."

The list includes buildings that have been confirmed to have combustible cladding and others that have been assessed as at risk by Fire and Rescue NSW but are awaiting a second assessment.

A [report released last week](#) found the 2017 Grenfell Tower fire in London, which killed more than 70 people, was so deadly in part because combustible cladding fuelled the blaze and caused flames to leap up the building.

Mr Shoebridge said he will appeal the government's privilege claim to an independent umpire, with a decision expected in the next several weeks.

CFMEU Construction and General Division national secretary Dave Noonan said the country's construction crisis was a symptom of outsourcing going too far.

"It has left consumers with cracked apartments, flammable cladding and governments that waste billions on delivering projects," he said.



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